

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:04CV241-1-MU

LEROY KILLIAN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

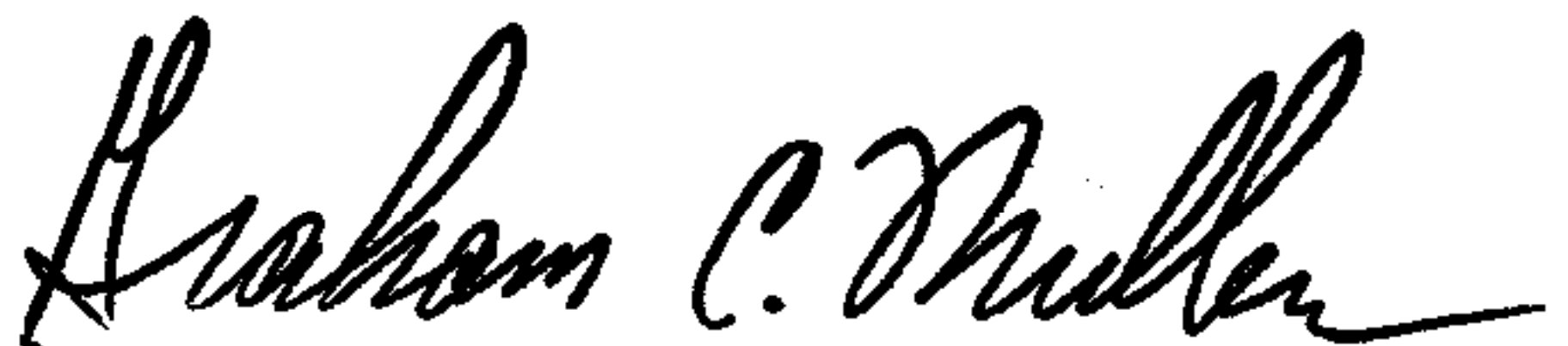
**ORDER**

**THIS MATTER** comes before the Court upon the Petitioner's Motion to Vacate, Set Aside, or Correct Sentence and Petitioner's Motion to Amend/Supplement.

After careful review of the motions and case file, the undersigned finds that the United States Attorney should file an Answer detailing Petitioner's allegations and responding to each. Such Answer should also include a response to Petitioner's Motion to Amend/Supplement.

**THEREFORE, IT IS HEREBY ORDERED** that no later than forty (40) days from the filing of this Order, the United States Attorney shall file an Answer to Petitioner's Motion to Vacate, Set Aside, or Correct Sentence, detailing Petitioner's allegations and responding to each and also responding to Petitioner's Motion to Amend/Supplement.

This 11<sup>th</sup> day of October, 2005.



Graham C. Mullen, Chief Judge  
United States District Court